

**AGENDA REQUEST**  
**BUSINESS OF THE PLANNING & ZONING COMMISSION**  
**CITY OF SUGAR LAND, TEXAS**

**AGENDA OF:** 05/11/04    **DEPT. OF ORIGIN:** DEVELOPMENT SVCS.    **REQ. NO.** IV A  
**DATE SUBMITTED:** 05/06/04

**ORIGINATOR:** DOUGLAS P. SCHOMBURG, AICP, ASST. CITY PLANNER

**SUBJECT:**    **REZONING FOR PROPERTY WITHIN LAKE POINTE TOWN CENTER :**  
                 **BUSINESS OFFICE (B-O) TO GENERAL BUSINESS (B-2) DISTRICT AND**  
                 **PLANNED DEVELOPMENT (PD) TO BUSINESS OFFICE (B-O) DISTRICT**

**PROCEEDING:**    **CONSIDERATION AND ACTION**

**EXHIBITS:** **DRAFT ORDINANCE; VICINITY MAP; APPROVED GENERAL PLAN;**  
                 **APPLICATION; TRACT MAP**

**APPROVED FOR SUBMITTAL:**

**DOUGLAS P. SCHOMBURG, AICP, ASST. CITY PLANNER** *D.P.S.*

**SABINE A. SOMERS-KUENZEL, AICP, CITY PLANNER** *S.A.K.*

**EXECUTIVE SUMMARY**

Planned Community Developers (PCD), represented by Mr. Les Newton, are seeking to rezone properties within the approved 184 Acre Lake Pointe Town Center General Plan area. The Lake Pointe Town Center area is located at the north corner of the intersection of US HWY 59 and State HWY 6, and west of Sugar Lakes Drive. The area is located within the boundary of the Fort Bend County Levee Improvement District No. 2., which provides for drainage / detention within the site. The requests before the Commission consist of rezoning properties on the attached Tract Map described as:

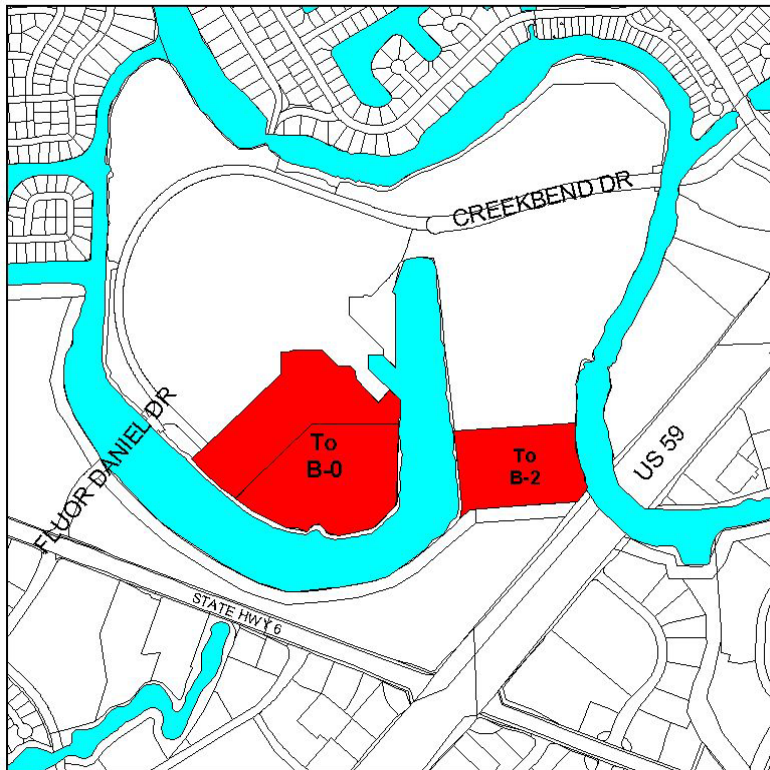
- Rezone approximately 9.2 acres from Business Office (B-O) to General Business (B-2) District consisting of Tracts E-5 and E-6
- Rezone approximately 28 acres from the 1983 Planned Development (PD) to Business Office (B-O) District consisting of Tracts C-1 and C-2

A request to amend and expand the Planned Development (PD) District for residential uses will be brought forward at a subsequent Planning and Zoning Commission meeting with a Public Hearing for that specific item. The Consideration and Action for the rezoning is only for the Business Office (B-O) and General Business (B-2) District properties.

### GENERAL SITE INFORMATION

<b>Subject Properties (North of Levee)</b>	<b>Business Office (B-O) Planned Development (PD) District (1983)</b>
<b>Adjacent Zoning</b>	<b>Planned Development (PD) District (1983, Business Office (B-O) District, and General Business (B-2) District</b>
<b>Adjacent Land Use</b>	<b>Fluor Corporation Office Complex &amp; Vacant Land</b>

Lake Pointe Town Center  
General Plan Area Rezone  
B-0 and B-2 Rezoning



**General location: Northeast of US 59 and  
State Hwy 6 Intersection.**

## ANALYSIS

### *Property Zoning and Development History:*

The Lake Pointe Town Center property is located entirely in the City of Sugar Land corporate limits and was annexed into the City of Sugar Land in 1982. In February of 1983, the City Council approved Ordinance No. 397 which permanently zoned

approximately 338 acres owned by the Fluor Corporation to Planned Development (PD) District, General Business (B-2) District, and Local Business District (Obsolete B-1 from 1982 Zoning Ordinance). The old B-1 area and a portion of the B-2 area located on the eastern section of the property, immediately north of the FBC LID No. 2 Levee, were subsequently zoned Business Office (B-O) at the time of the adoption of the Development Code by Ordinance No. 1063 in 1997. Those properties have remained in that designation since 1997. According to City records, the 1983 Planned Development District has never been amended. Although the Final Development Plan adopted with the PD indicates additional office, parking, and building footprints, the PD area has not experienced additional development since the Fluor Corporation Complex was built in the mid-1980's.

### *Lake Pointe Town Center General Plan and Development Agreement:*

In 2004, Planned Community Developers (PCD) submitted a General Land Plan for the remaining 184 acres of undeveloped property within the Fluor Complex and surrounding areas. The Planning and Zoning Commission reviewed and recommended approval of the Lake Pointe Town Center General Plan on February 26, 2004, and the City Council approved the General Plan on March 8, 2004. During the approval process, a contingency was recommended by staff that rezonings would need to be requested in order to fully develop the property according to the layout illustrated on the General Plan. The two rezoning requests before the Commission are in accordance with the approved General Plan contingency for rezoning.

Planned Community Developers also submitted a Development Agreement to the City that set forth certain requirements, standards, and agreements between PCD and the City of Sugar Land. The Lake Pointe Town Center Development Agreement, approved by the City Council on March 8, 2004, established a basis for conceptual land use categories for future rezoning proposals. Specifically, Article II, GENERAL PLAN AND LAND USE, Section 2.02 indicates that:

**“The latest General Plan approved by the City reflects City Council intent and policy direction for establishing zoning districts on the property. The City agrees to the extent allowed by law that it will not zone the property in a manner inconsistent with the latest approved General Plan.”**

This request is consistent with the agreement as to acreage and uses regarding the General Business (B-2) and Business Office (B-O) areas within the approved General Plan.

### *Additional Land Use Review and Analysis:*

Requests for rezoning property can have impacts on plans, policies, and services administrated by various City Departments, in addition to neighboring properties. The land uses proposed in the rezonings before the Commission were closely examined by the Planning Division and the Development Review Committee (DRC) as to issues such as drainage, utilities, access/safety, traffic, and compatibility with the Comprehensive Plan / Master Plans during the review of the Lake Pointe Town Center General Plan. Detailed drainage and traffic studies were also submitted by the applicant and reviewed by the DRC with regard to the proposed uses. The DRC found the uses proposed on the General Plan to be in conformance with the provision of services to the area, and approved plans and policies. Additional upgrades for infrastructure are specified within the Development Agreement with PCD, and the mitigation measures proposed through the Traffic Impact Analysis report and drainage studies will be implemented

during the Platting and Site Planning processes for development. The Planning Division carefully examined the General Plan as to compatibility and determined that that the proposed uses illustrated were compatible with the site and the surrounding area. As previously stated, this request is in conformance with the approved General Plan.

The Public Hearing for the proposed rezoning requests was held on April 30, 2004, with one citizen speaking with regard to the project. There was no one who spoke against the project. The Planning and Zoning Commission indicated that there were no additional issues, and that the Commission would be ready to consider and act on the request at an upcoming meeting.

### **RECOMMENDED ACTION**

The Planning Division recommends that the Planning and Zoning Commission recommend approval to the Mayor and Council of the Lake Pointe Rezoning Draft Ordinance:

- Business Office (B-O) to General Business (B-2)
- Planned Development (PD) 1983 to Business Office (B-O)

cc: Les Newton, Planned Community Developers      [lesn@sugarland-properties.com](mailto:lesn@sugarland-properties.com)

File No. P0001573

**(DRAFT) ORDINANCE NO. 1442**

**AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, PROVIDING FOR A CHANGE OF ZONING FROM ZONING DISTRICT BUSINESS OFFICE (B-O) TO ZONING DISTRICT GENERAL BUSINESS (B-2) FOR APPROXIMATELY 9.2 ACRES LOCATED WITHIN THE LAKE POINTE TOWN CENTER GENERAL PLAN AND PROVIDING FOR A CHANGE OF ZONING FROM ZONING DISTRICT PLANNED DEVELOPMENT (PD) TO ZONING DISTRICT BUSINESS OFFICE (B-O) FOR APPROXIMATELY 28 ACRES OF LAND LOCATED WITHIN THE LAKE POINTE TOWN CENTER GENERAL PLAN.**

WHEREAS, Planned Community Developers Ltd. has applied for a change in zoning from zoning district classification Business Office (B-O) to zoning district classification General Business (B-2) for approximately 9.2 acres of land located within the Lake Pointe Town Center General Plan; and

WHEREAS, Planned Community Developers Ltd. has applied for a change in zoning from zoning district classification Planned Development (PD) to zoning district classification Business Office (B-0) for approximately 28 acres of land located within the Lake Pointe Town Center General Plan; and

WHEREAS, the Planning and Zoning Commission recommends approval of the zoning change; and

WHEREAS, the City Council has held a public hearing on the proposed amendment for which notice was published at least fifteen days prior to the hearing date; and

WHEREAS, the City Council finds that the zoning change complies with the City's comprehensive plan; NOW, THEREFORE;

**BE IT ORDAINED BY THE CITY COUNCIL  
OF THE CITY OF SUGAR LAND, TEXAS:**

**Section 1.** That the zoning district classification of approximately 9.2 acres of land described in Exhibit A, attached to and incorporated into this ordinance by reference, is changed from zoning district classification Business Office (B-O) to zoning district classification General Business (B-2) under the comprehensive zoning ordinance of the City of Sugar Land, Texas.

**Section 2.** That the zoning district classification of approximately 28 acres of land described in Exhibit B, attached to and incorporated into this ordinance by reference, is changed from zoning district classification Planned Development (PD) to zoning district classification Business Office (B-O) under the comprehensive zoning ordinance of the City of Sugar Land, Texas.

**Section 3.** That the City's official zoning map is amended to show the change in zoning district classification.

APPROVED on first consideration on \_\_\_\_\_, 2004.

ADOPTED upon second consideration on \_\_\_\_\_, 2004.

\_\_\_\_\_  
David G. Wallace, Mayor

ATTEST:

\_\_\_\_\_  
Glenda Gundermann, City Secretary

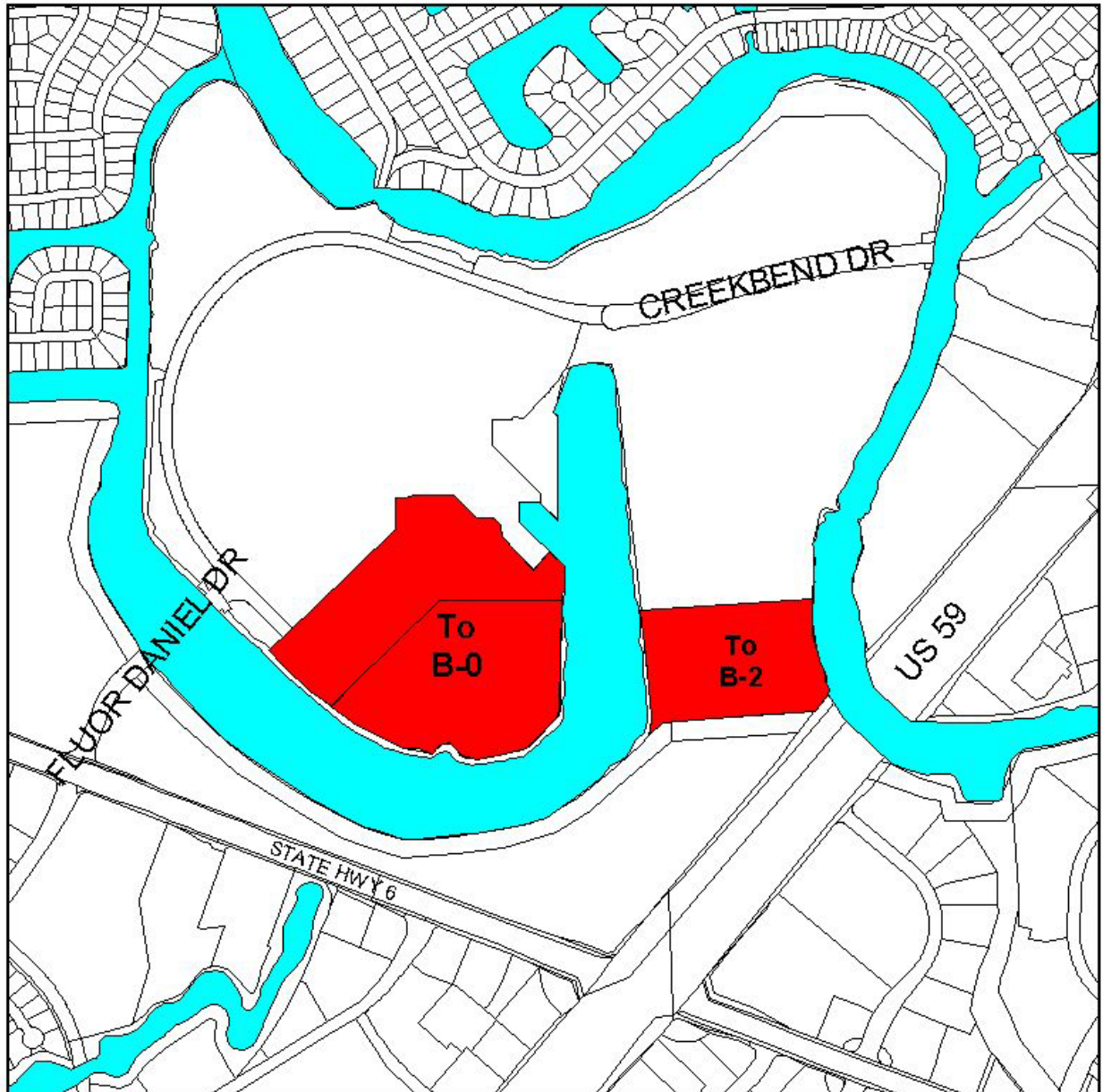
Reviewed for Legal Compliance:

Attachment: Exhibit A - Metes and Bounds Description of Approximately 9.2 Acres  
Exhibit B – Metes and Bounds Description of Approximately 28 Acres

**PLANNING DIVISION NOTE: METES AND BOUNDS DESCRIPTIONS WILL BE INCLUDED IN ORIGINAL ORDINANCE ONLY**

Vicinity Map:

**Lake Pointe Town Center  
General Plan Area Rezone  
B-0 and B-2 Rezoning**



**General location: Northeast of US 59 and  
State Hwy 6 Intersection.**



**Lake Pointe Town Center**  
General Plan Submittal

February 9th, 2004

**LEGAL DESCRIPTION**

Those certain tracts or parcels of land in Fort Bend County, Texas, containing approximately 184,833 acres, more or less, located in the Salt Winters League, Abstract No. 87, the Brown & Bellows League, No. 75, and the Elgin Acres League, Abstract No. 1, in Fort Bend County, Texas, being all the entirety of Tract Number "1", "2", "3", "7", "8", and "9", respectively, out of LUGB-CENTRAL DEVELOPMENT TRACT NO. 142, is a subdivision of 331.39 acres in Fort Bend County, Texas, according to the map on file in the "Public Record" of said Fort Bend County, Texas, and all the entirety of Commercial Highway "9" and "10" out of LUGB-CENTRAL, a subdivision in Fort Bend County, Texas, according to the map on file recorded under Slide Number 23478 of the Public Records of Fort Bend County, Texas in the "Public Record" of said Fort Bend County.

**NOTES:**

1. ALL TRACTS WITHIN LAKE POINTE ARE IN THE JURISDICTION OF FORT BEND COUNTY, CITY OF SUGARLAND AND FORT BEND CO.
2. ALL TRACTS EXCLUDING FUTURE AND LIFETIME FITNESS ARE PROPOSED TO BE INCLUDED IN THE NEW FORT BEND COUNTY MAJOR ROAD TO BE CREATED.
3. GULF COAST WATER AUTHORITY (GCWA) HAS MAINTENANCE EASEMENTS FROM EDGE OF WATER OF CYPRESS CREEK AND BROOKS LAKE.

**PLANNED COMMUNITY DEVELOPERS**

Developers  
15558 City Walk Suite 250  
Sugar Land, TX 77478  
Tel: (281) 242-2090  
Fax: (281) 242-2718  
Contact: Les Newton  
Email: lesnewton@slalndproperties.com

**SLA STUDIO LAND INC.**  
Planners/Landscape Architects  
5504 Richmond Ave., Suite 100  
Houston, TX 77042  
Tel: (713) 787-6719  
Fax: (713) 787-5190  
Contact: David Smith  
Email: davidsmith@slalnd.com

**COSTELLO INC.**  
Engineers/Surveyors  
9900 Richmond Ave., Suite 400 North  
Houston, TX 77042  
Tel: (713) 787-7788  
Fax: (713) 787-3480  
Contact: Chad Hallmark  
Email: chadhallmark@costello.com



**Application:**



**CITY OF SUGAR LAND**

**CURRENT PLANNING DIVISION**

**CONDITIONAL USE PERMIT OR REZONING APPLICATION**

Please type or print the following information



**FILE COPY**

**Applicant**

Contact LES A. NEWTON/PLANNED COMMUNITY DEVELOPERS, LTD.  
Address 15958 CITY WALK, SUITE 250, SUGAR LAND, TX 77479  
Phone 281/242-2000 Fax 281/242-2718  
Email lesn@sugarland-properties.com

**Owner**

Contact LES A. NEWTON/PLANNED COMMUNITY DEVELOPERS, LTD.  
Address 15958 CITY WALK, SUITE 250, SUGAR LAND, TX 77479  
Phone 281/242-2000 Fax 281/242-2718  
Email lesn@sugarland-properties.com

Property Legal Description \_\_\_\_\_ See Attached xx

Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Current Zoning District see attached Proposed Zoning District, if applicable see attached

If this is a CUP application: ☐ new building ☐ existing building

Proposed Use (CUP only) \_\_\_\_\_

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the undersigned is authorized to make this application. **This application expires six months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on this request.**

X [Signature]  
Signature of Applicant

3/15/04  
Date

**Submittal Requirements (Submittal Deadline is Monday at 3:00 p.m.):**

- ☒ Three (3) copies of the completed application
- ☒ Check for \$400 (non-refundable)
- ☒ Metes and bounds of the site and county slide number of plat, if recorded
- ☒ Two (2) 24" x 36" blue-line copies and two (2) 11" x 17" copies of the CUP layout plan or the property to be rezoned, including a vicinity map and north arrow on each copy
- ☒ Two (2) copies of a letter stating the applicant's request and addressing issues relating to a CUP including traffic circulation, parking, plan of operation, and other pertinent information
- ☒ Names and mailing addresses of all property owners and tenants within 200 feet of site, including owner and applicant

**Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.**

S:\Public\DRCADMIN\APPLICATIONS\Current CUP & Rezoning Application 2001

## Lake Pointe Tract Map:

